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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

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9 ANTHONY LEE MONROE,

Case No. 3:14-cv-00106-MMD-WGC

10 Petitioner,

ORDER

11 v.

12 ISIDRO BACA, et al.,

13 Respondents.

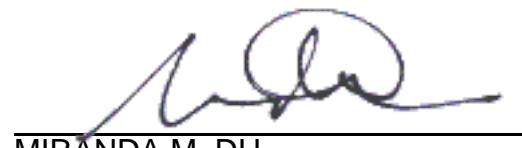
14 The Court ordered petitioner to show cause why this action should not be
15 dismissed because he has not yet exhausted his available state-court remedies. (Dkt.
16 no. 5) Petitioner has filed a response (dkt. no. 8). He agrees with the Court, and he
17 asks that the Court dismiss the action without prejudice. The Court grants his request.

18 Although it appears that the one-year period of limitation of 28 U.S.C.
19 § 2244(d)(1) has not yet started, nothing in this order should be construed to affect the
20 running of that period beyond the normal operation of the statute. Petitioner remains
21 responsible for ensuring that he timely files a federal habeas corpus action after he has
22 exhausted his claims in state court.

23 It is therefore ordered that this action is dismissed upon petitioner's request
24 without prejudice for failure to exhaust the available state-court remedies. The clerk of
25 the court shall enter judgment accordingly.

26 DATED THIS 22nd day of August 2014.

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MIRANDA M. DU
UNITED STATES DISTRICT JUDGE